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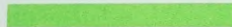

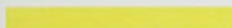







*National safety code
of Ontario*

THE NATIONAL SAFETY CODE IN ONTARIO

Government
Publication

CA 201X
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INTRODUCTION

COMMERCIAL MOTOR VEHICLE HIGHWAY SAFETY

Safety on Ontario's roads and highways is a fundamental priority of the Ministry of Transportation.

Every driver and vehicle operator in Ontario shares the duty to use our roads and highways responsibly. Every vehicle must be driven and maintained in a manner that will ensure driver, passenger and pedestrian safety.

The commercial fleets - trucks, buses and trailers - are a prominent and significant component of Ontario's highway users. The operators of these fleets have a particularly important contribution to make to highway safety.

Commercial vehicles operate throughout the province and throughout the year, on every type of road and in all kinds of driving conditions. Their drivers are qualified in handling and manoeuvring large and heavy vehicles, and in delivering their passengers and cargo safely to their destinations. Their maintenance personnel are trained in keeping the complex systems of today's trucks and buses in perfect working condition. It is essential that this critical sector of Ontario's economy continues to achieve the high safety standards it has demonstrated over the years.

To assist commercial motor vehicle drivers and operators, and to ensure our roads and highways will remain among the safest in North America, Ontario has actively participated in the development and implementation of Canada's National Safety Code for Commercial Motor Vehicles.

This information package describes how the National Safety Code has been implemented in Ontario. The individual brochures explain the actions each driver and each operator in the truck and bus industries must take to do their part in keeping our roads and highways safe for all.

NATIONAL SAFETY CODE

Canada's National Safety Code for Commercial Motor Vehicles consists of 16 individual Standards. These Standards cover every element of driver qualification and vehicle operation and maintenance:

- Standard 1: Single Driver Licence Concept
- Standard 2: Knowledge and Performance Tests (Drivers)
- Standard 3: Driver Examiner Training Programme
- Standard 4: Classified Driver Licensing System
- Standard 5: Self-Certification Standards and Procedures
- Standard 6: Medical Standards for Drivers
- Standard 7: Carrier and Driver Profiles
- Standard 8: Short-Term Suspension
- Standard 9: Hours of Service Regulations
- Standard 10: Security of Loads Standards
- Standard 11: Commercial Vehicle Maintenance Standards
- Standard 12: CVSA On-Road Inspections
- Standard 13: Trip Inspection Reports
- Standard 14: Compliance Reviews
- Standard 15: Facility Audit Standards
- Standard 16: First Aid Training

Every province and territory in Canada plans to implement these Standards within its own jurisdiction, with some local variations, so that the truck and bus industries will be more uniformly regulated across the country.

In Ontario, much of the legislation needed to meet the National Safety Code Standards, such as the classified driver licence concept and load security, has been in place for many years. However, amendments to the Highway Traffic Act, and additional regulations made under the Act, came in to force in 1989 to implement other Standards, such as hours of work and trip inspection reports. By September of 1989, each of the National Safety Code Standards except numbers 8, 14 and 16 had been adopted in Ontario.

DISTRICT OFFICE DIRECTORY

- ♦ **Brampton** John Rhodes Driver Examination Centre
7900 Airport Road
Brampton, Ontario
L6T 4N8
(416) 793-4345
- ♦ **Hamilton** 370 Kenora Avenue North
Stoney Creek, Ontario
L8E 2W2
(416) 561-5926
- ♦ **Kenora** P.O. Box 5070
808 Robertson Street
Kenora, Ontario
P9N 3X9
(807) 468-9715
- ♦ **Kingston** Postal Bag 4000
355 Counter Street
Kingston, Ontario
K7L 5A3
(613) 544-2220, extension 4027
- ♦ **Kitchener** 524 Belmont Avenue West
Kitchener, Ontario
N2M 5E3
(519) 744-1120
- ♦ **London** P.O. Box 5338
659 Exeter Road
London, Ontario
N6A 5H2
(519) 681-1441
- ♦ **North Bay** P.O. Box 3030
447 McKeown Avenue
North Bay, Ontario
P1B 8L2
(705) 472-7900, extension 200

- ♦ Ottawa 1570 Walkley Road
Ottawa, Ontario
K1V 6P5
(613) 731-8333
- ♦ Port Hope Box 150
138 Hope Street North
Port Hope, Ontario
L1A 3W3
(416) 885-2481
- ♦ Sault Ste. Marie 370 Lake Street
Sault Ste. Marie, Ontario
P6B 3L1
(705) 945-9395
- ♦ Sudbury 782 LaSalle Boulevard
Montrose Mall
Sudbury, Ontario
P3A 4V4
(705) 566-1414
- ♦ Thunder Bay P.O. Box 117
615 South James Street
Thunder Bay, Ontario
P7C 4X9
(807) 473-2042 / (807) 473-2021
- ♦ Timmins 83 Algonquin Boulevard West
Timmins, Ontario
P4N 2R4
(807) 264-2239
- ♦ Toronto Suite 5 at Rear of Driver Examination Centre
773 Warden Avenue
Scarborough, Ontario
M1L 4C2
(416) 750-3407
- ♦ Windsor 2090 Wyandotte Street East
Windsor, Ontario
N8Y 1E6
(519) 258-8312

INFORMATION BROCHURES

Each brochure in this information package describes one element of the National Safety Code as it has been implemented in Ontario. Each explains the application and requirements of the relevant legislation, and the procedures a driver or operator should follow. In addition, information sources, contact points within the Ministry of Transportation and suggested related topics are provided.

Information concerning National Safety Code Standard 3, Driver Examiner Training, is included in the brochure describing the Classified Driver's Licence system. In addition, although the National Safety Code First Aid Training Standard has not been legislated in Ontario under the Highway Traffic Act, commercial motor vehicle operators in the province must meet the training and equipment requirements of the Ontario Workers' Compensation Act.

The brochures explain the basic requirements and procedures for each subject, translated from the legislation into easily read and understood language. The reader should refer to the official Statutes and Regulations of Ontario to obtain the precise language of the laws that are summarized in these brochures.

The brochures stress the duties of both drivers and operators. In this context, an "operator" is the individual or company that is responsible for the operation and condition of a truck, trailer or bus, the behaviour of the driver and the safe carriage of the cargo or passengers.

The information in the brochures is applicable to most commercial vehicle drivers and operators. Any exemptions from the regulations are described in the brochures. **These brochures do not describe all of the regulations that apply specifically to school bus drivers and operators: reference must be made to the official Statutes and Regulations in Ontario, or to a Ministry of Transportation District Office, as listed in the District Office Directory included in this package, to obtain additional information on school bus operation.**

Copies of Ontario Acts and Regulations are available from:

Publications Ontario
5th Floor
880 Bay Street
Toronto, Ontario
M7A 1N8

Telephone: (416) 326-5300
1-800-668-9938

FACILITY AUDITS

Commercial motor vehicle operators in Ontario should pay particular attention to the Facility Audit program. Facility Audits complement the on-highway enforcement program, and provide educational opportunities to increase operators' awareness of their responsibilities as safe users of the province's highways.

Facility Audits are designed to review an operator's on-highway activity in considerable detail. During the audit, Ministry of Transportation personnel will examine the operator's records and documentation to create a four-part profile of the operator's safety performance. The majority of the components of the National Safety Code, as implemented in Ontario, may be reviewed during a Facility Audit. CAVR payments and compliance with operating licences, if applicable, may also be reviewed.

At the conclusion of the Facility Audit, both the operator and the Ministry will have a good understanding of the operator's degree of compliance with the safety and performance standards established for commercial users of the province's roads and highways. Operators with problems will be able to learn exactly what is expected of them, and can discuss corrective actions with the audit staff. Operators may be charged with violations disclosed during the audit.

The Facility Audit procedure is an important component of the Ministry of Transportation's highway safety program in Ontario.

SINGLE DRIVER'S LICENCE CONCEPT

APPLICATION

- ♦ Every driver in Ontario.

REQUIREMENTS

- ♦ A driver in Ontario may have only one driver's licence, unless:
 - » a second licence is a motorcycle learner's permit; or,
 - » a second licence is required by and issued by another province or state.
- ♦ Every person who drives in Ontario must have in their possession a valid driver's licence that matches the type of vehicle being driven.
- ♦ A valid driver's licence is one that is not cancelled, suspended or expired.

PROCEDURES

1. When applying for an Ontario driver's licence, a person must surrender all driver's licences issued by other North American jurisdictions.

ENFORCEMENT

- ♦ When a person applies for an Ontario driver's licence, their name is checked using a computerized provincial records exchange system to ensure they do not have a driver's licence issued by any other province.
- ♦ Driver's licence regulations are enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.
- ♦ Driver's licence violations that occur while driving a truck or bus are recorded on both the individual driver's file and on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 21

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ Driver Testing.
- ♦ Classified Driver's Licence.
- ♦ Driver Certification.
- ♦ CVOR.

THIS BROCHURE IS PREPARED FOR PURPOSES OF CONVENIENCE ONLY.
FOR ACCURATE REFERENCE, THE READER SHOULD REFER TO THE OFFICIAL VOLUMES.

DRIVER TESTING

APPLICATION

- ♦ Every person who applies for a driver's licence in Ontario.

REQUIREMENTS

- ♦ Every person who applies for a driver's licence in Ontario must show that they understand:
 - » the rules of the road;
 - » traffic signs and signals; and,
 - » the special requirements of the type of vehicle they intend to drive,and that they are qualified in driving that type of vehicle.
- ♦ An applicant for an original Ontario driver's licence will be given vision, knowledge and road tests.
- ♦ Licence applicants must meet age requirements and the vision, hearing and medical requirements described in the Medical Standards brochure. Truck and bus drivers must be at least 18 years old.
- ♦ The knowledge test may be written or oral, or may be by computer.
- ♦ To pass the road test, the applicant must show an ability to drive the type of vehicle that may be driven with the class of licence requested. The road test for truck and bus licences includes:
 - » a circle check of vehicle components, including the engine compartment and the driver's controls;
 - » a test of off-road manoeuvring skill;
 - » an on-road driving test; and,
 - » a coupling/uncoupling test (Class A only).

- ♦ A person applying for a "Z" air brake endorsement must pass both a written and a practical test of their knowledge of air brake operation that includes:
 - » brake system components;
 - » trailer systems and valves;
 - » dual air brake systems;
 - » brake adjustment; and,
 - » brake inspection and warning signs.
- ♦ Applicants exchanging out-of-province licences will be tested for applicable vision and medical requirements.

PROCEDURES

1. Applicants for new or upgraded driver's licences must acquire the necessary knowledge and obtain the qualifications to operate the type of vehicle they want to be licensed to drive.
2. Applicants for licences that would allow them to drive trucks or buses must obtain a medical examination from a doctor, and must have the required medical form completed.
3. When properly trained and qualified, the applicant should make an appointment to take the required tests at a Ministry of Transportation Driver Examination Centre, and bring the appropriate type of vehicle for the test.
4. If the applicant works for an operator who is a Recognized Authority under the Driver Certification program, procedures for licence testing, renewing and upgrading should be discussed with the operator's driver trainer.
5. Applicants will be given a copy of their road test reports.
6. Truck and bus drivers' licences and air brake endorsements, including required vision and medical (except for Class D) examinations, must be renewed every 3 years until age 65, and annually thereafter.

ENFORCEMENT

- ♦ Driver's licence regulations are enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.
- ♦ Driver's licence violations that occur while driving a truck or bus are recorded on both the individual driver's file and on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 18
 - » Regulation 461 (Driver Licence Examinations)
 - » Regulation 462 (Drivers' Licences)
 - » Regulation 359/81 (Demerit Point System)
- ♦ Ministry of Transportation Publications:
 - » *The Driver's Handbook*
 - » *Truck and Bus Driver's Manual*
 - » *The Air Brake Manual*

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ Single Driver's Licence Concept.
- ♦ Classified Driver's Licence.
- ♦ Driver Certification.
- ♦ Medical Standards.
- ♦ CVOR.

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FOR ACCURATE REFERENCE, THE READER SHOULD REFER TO THE OFFICIAL VOLUMES.

CLASSIFIED DRIVER'S LICENCE

APPLICATION

- ♦ All drivers licensed in Ontario, and all operators.

REQUIREMENTS

- ♦ Ontario driver's licences are classified according to the type of vehicle to be driven.
- ♦ Drivers in Ontario must have in their possession a valid driver's licence that matches the type of vehicle being driven. A valid licence is one that is not cancelled, suspended or expired.
- ♦ A valid driver's licence issued by another province or state to a resident of that jurisdiction is valid in Ontario for a type of vehicle if the licence permits the person to drive that type of vehicle in the province or state that issued the licence.
- ♦ The 10 Ontario driver's licence classes are listed on the insert to this brochure.
- ♦ Truck licences:
 - » Any truck, tractor-trailer or truck-trailer combination may be driven by a person with a Class A licence.
 - » Any truck or truck-trailer combination may be driven by a person with a Class B, C or D licence, provided the actual gross weight of the trailer is not over 4600 kg. [10140 lb.].
 - » A light truck or truck-trailer combination with a total actual or registered gross weight up to 11000 kg. [24250 lb.] may be driven by a person with a Class E, F or G licence, provided the actual gross weight of the trailer is not more than 4600 kg. [10140 lb.].

- ♦ Bus licences:
 - » Any transit or inter-city bus may be driven by a person with a Class B or C licence.
 - » A transit or inter-city bus with no more than 24 seats may be driven by a person with a Class E or F licence.
- ♦ Drivers of vehicles with air brakes must have a "Z" endorsement on their driver's licence.
- ♦ A person must pass knowledge and driving tests, and must meet certain age and medical criteria in order to obtain a driver's licence.

PROCEDURES

1. A driver must obtain the correct class of driver's licence for the type of vehicle to be driven. The driver must pass the written, vision and, for bus licences, hearing tests.
2. The driver must pass a road test given either by a Ministry of Transportation Driver Examiner, who will be qualified to hold the class of driver's licence being tested, or by a company driver trainer, if the driver's company has an approved driver certification program.
3. A driver who is to drive a vehicle with air brakes must obtain a "Z" air brake endorsement, by passing either a written and practical test given by the Ministry of Transportation, or an approved course.
4. An operator must ensure that drivers are properly licensed. An operator may purchase, from the Ministry of Transportation, a driver's abstract that shows the driver's licence class, driving convictions for the past 3 years, and whether the licence is valid.
5. A driver must carry a valid driver's licence when driving.

DRIVER'S LICENCE CLASSES

Class of Licence	Types of Vehicles Allowed	May Also Drive Vehicles in Class
A	Any tractor-trailer or truck-trailer combination.	D and E
B	Any school purpose bus.	C, D, E, F and G
C	Any regular bus.	D, F and G
D	Any truck or combination provided the towed vehicle is not over 4600 kg.	G
E	School purposes bus - maximum of 24 passenger capacity.	F and G
F	Regular bus, maximum of 24 passenger capacity, and ambulances.	G
G	Any automobile, small truck or combination up to 11000 kg., provided the towed vehicle is not over 4600 kg.	
M	Motorcycles	
L	Learner's licence, with restrictions, for class G vehicles.	
M	Learner's licence, with restrictions, for class M vehicles.	

ENFORCEMENT

- ♦ A driver must not drive, and an operator must not allow a driver to drive, a truck or bus if the driver does not have a valid driver's licence that matches the type of vehicle to be driven.
- ♦ Driver's licence regulations are enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.
- ♦ Driver's licence violations that occur while driving a truck or bus are recorded on both the individual driver's file and on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Sections 18 & 19
 - » Regulation 461 (Driver Licence Examinations)
 - » Regulation 462 (Drivers' Licences)
 - » Regulation 285/88
 - » Regulation 751/88
- ♦ Ministry of Transportation Publications:
 - » *The Driver's Handbook*
 - » *Truck and Bus Driver's Manual*
 - » *The Air Brake Manual*

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ Single Driver's Licence Concept.
- ♦ Driver Testing.
- ♦ Driver Certification.
- ♦ Medical Standards.
- ♦ CVOR.

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DRIVER CERTIFICATION

APPLICATION

- ♦ Every operator that wishes to certify its own drivers and that:
 - » employs drivers;
 - » has a fleet of at least 10 vehicles; and,
 - » is domiciled,in Ontario.

REQUIREMENTS

- ♦ An operator who is approved as a Recognized Authority may train and test its own employees and certify that they qualify for renewed or upgraded drivers' licences.
- ♦ A Recognized Authority must employ or have under contract a qualified driver trainer who must be approved as a Signing Authority.
- ♦ A Signing Authority for an operator may test only drivers who are employees of that operator.
- ♦ A Signing Authority may perform written and vision testing for upgrades and regular renewals for all driver's licence classes and for the "Z" air brake endorsement.
- ♦ A Signing Authority may perform road testing for upgrading drivers to the specific driver's licence classes that have been approved for the person and the Recognized Authority.

PROCEDURES

1. To become a Recognized Authority, an operator must submit a driver safety, training and testing program to the Ministry of Transportation. The program must include:
 - » a description of training procedures, class time and in-vehicle time on and off the road;
 - » a copy of in-house written tests and handbooks;
 - » a map of the on-road test route; and,
 - » a description of the operator's on-going safety programs.
2. To be approved as a Recognized Authority, an operator must also:
 - » employ or have under contract a qualified driver trainer who can qualify as a Signing Authority;
 - » have the necessary teaching aids; and,
 - » have the necessary testing equipment, such as a vision screener.
3. To be approved as a Signing Authority, a driver trainer must have:
 - » held, for at least 3 years, a valid driver's licence in the class for which he or she is providing training;
 - » passed the Ontario Safety League's Fleet Driver Training Course, or a similar approved course;
 - » fewer than 6 demerit points; and,
 - » an acceptable driving record and meet standards with respect to any Criminal Code of Canada convictions.
4. When an operator is approved as a Recognized Authority, the Ministry of Transportation will specify:
 - » the driver's licence classes for which it may certify driver competence;
 - » the tests that it may administer; and
 - » the number to be used by its Signing Authority on documents and to obtain driver abstracts.

5. A Recognized Authority must maintain records of:
 - » each driver tested;
 - » test records and papers for 1 year; and,
 - » all traffic accidents involving the operator's vehicles,and must make a monthly activity report to the Ministry of Transportation.
6. An authority may be suspended or cancelled for failing to meet program requirements or for lack of use.

ENFORCEMENT

- ♦ The driver certification program is administered and monitored by Ministry of Transportation staff, who may visit a Recognized Authority independently of the Facility Audit program.
- ♦ Ministry of Transportation officers may inspect a Recognized Authority's driver training and testing records, and may take check rides with company-trained drivers to evaluate the training and testing programs.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 18
 - » Regulation 462 (Drivers' Licences)

MINISTRY CONTACT

Further information may be obtained from:

Operational Policy Office
Licensing and Control Branch
Ministry of Transportation
1201 Wilson Avenue
West Tower
Downsview, Ontario
M3M 1J8

Telephone: (416) 235-4612

RELATED TOPICS

- ♦ Single Driver's Licence Concept.
- ♦ Driver Testing.
- ♦ Classified Driver's Licence.
- ♦ Medical Standards.

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FOR ACCURATE REFERENCE, THE READER SHOULD REFER TO THE OFFICIAL VOLUMES.

MEDICAL STANDARDS

APPLICATION

- ♦ All truck and bus drivers licensed in Ontario.

REQUIREMENTS

- ♦ When applying for a classified driver's licence, all truck and bus drivers must:
 - » have at least corrected 20/30 vision in the better eye and 20/50 vision in the poorer eye;
 - » have 120° horizontal field of vision in each eye tested separately; and,
 - » report cardiovascular, respiratory, neurological, musculo-skeletal, metabolic, sensory and other diseases, and psychiatric disorders and addictions.

When applying for a licence renewal or upgrade, Class A truck drivers and all bus drivers must continue to meet these requirements.

- ♦ Bus drivers must also either:
 - » be able to hear through their better ear, with an aid if necessary, a forced whispered voice at a distance of 1.5 m. [5 ft.]; or,
 - » have a hearing loss in their better ear of no greater than 40 decibels at 500, 1000, and 2000 hertz.

When applying for a licence renewal or upgrade, bus drivers must continue to meet these requirements.

PROCEDURES

1. Each truck and bus driver must have a medical examination by a physician and must pass a vision test before applying for a driver's licence, and before renewing or upgrading any driver's licence except a Class D licence. Bus drivers must also pass a hearing test.
2. Written reports of these examinations must be provided to the Ministry of Transportation to obtain or renew a truck or bus driver's licence.
3. A physician or optometrist must report the name and medical condition of any person who appears to be unfit to drive as a result of that condition.
4. The Ministry of Transportation will determine whether a person's medical condition is such that a certain class of driver's licence cannot be issued to that person, or can be issued with restrictions.

ENFORCEMENT

- ♦ Ministry of Transportation staff check for proof that applicable medical standards are met before issuing, renewing or upgrading truck and bus drivers' licences.
- ♦ Driver's Licence Regulations are enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.
- ♦ Driver's licence violations that occur while driving a truck or bus are recorded on both the individual driver's file and on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Sections 18, 177 & 178
 - » Regulation 462 (Drivers' Licences)
- ♦ Ministry of Transportation Publication:
 - » *Fitness To Drive In Ontario:
A Guide To Medical Standards for Driver Licensing*

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ Driver Testing.
- ♦ Classified Driver's Licence.
- ♦ Driver Certification.
- ♦ CVOR.

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CVOR

COMMERCIAL VEHICLE OPERATOR'S REGISTRATION

APPLICATION

- ♦ All operators who are responsible for commercial motor vehicles, except:
 - » Light trucks (registered gross weight 4500 kg. [9920 lb.] or less);
 - » Tow trucks and mobile cranes;
 - » Trucks or buses with Dealer and Service permits and plates or In Transit permits;
 - » Trucks or buses leased by individuals for 30 days or less to move their personal goods, or to carry passengers at no fare;
 - » Motor homes or buses used for personal purposes without compensation; or,
 - » Ambulances, fire trucks, hearses, or casket wagons,that use Ontario's highways.
- ♦ Note: A "bus" is defined as a motor vehicle designed for carrying 10 or more passengers and used for the transportation of persons.

REQUIREMENTS

- ♦ The CVOR program provides a structured method of monitoring operator performance on Ontario's highways.
- ♦ Every operator must obtain a CVOR certificate.
- ♦ An operator may have only one CVOR. Different corporations must each have their own CVOR.
- ♦ Every operator must ensure that a copy of its CVOR certificate is carried in every truck or bus that it is responsible for operating, except exempt vehicles as listed above.
- ♦ Each operator is held responsible and accountable for its:
 - » Drivers' behaviour;
 - » Vehicles' operation and condition; and,
 - » Compliance with highway-related legislative requirements.

- ♦ All convictions registered against an operator since October 1, 1986, and all of the operator's safety detentions, accidents and defaulted fines since October 1, 1986 are recorded on the operator's CVOR file.
- ♦ All convictions registered against an operator's drivers since July 1, 1989, if related to their actions while driving a truck or bus for the operator, are recorded on the operator's CVOR file.
- ♦ If an operator's safety performance is unsatisfactory, its CVOR registration may be suspended or cancelled, or a limit may be imposed on the number of vehicles that it may operate.

PROCEDURES

1. Every operator with trucks or buses using Ontario's roads and highways must complete an application to obtain, at no cost, a CVOR certificate.
2. As part of the CVOR application, the operator must either provide its Registrant Identification Number (RIN) or file letters patent, and must report the names of all corporate officers or partners. Changes in corporate officers or partners must be reported to the Ministry of Transportation within 15 days.
3. Every truck or bus must carry the original or a copy of:
 - » the operator's CVOR certificate;
 - » the lease, if the vehicle is leased; and,
 - » the contract or notice of contract, if the vehicle is operated under a Truck Transportation Act, 1988 owner-driver or single-source authority.
4. Convictions registered against an operator and its drivers are recorded in the operator's CVOR file for a period of 5 years.
5. Safety detentions, accidents, and defaulted fines are also recorded in the operator's CVOR file, to provide a complete profile of the operator's performance.
6. The number and seriousness of each of the convictions on each operator's CVOR file are monitored. If an operator accumulates an unsatisfactory number of convictions, based on its fleet size, the Ministry of Transportation will review the operator's performance, and may send it a warning letter.
7. If the operator does not improve its performance following the warning letter, it may be required to meet with a Ministry of Transportation official. The purpose of the meeting will be to help the operator understand the reasons for the poor performance, and to have the operator prepare and commit to an action plan to improve its performance.

8. If the operator does not attend the meeting, or if its performance does not improve sufficiently, then the Registrar of Motor Vehicles may ask the operator to show cause why it should not be subject to operating sanctions.
9. The Registrar may impose sanctions immediately, or may give the operator additional time to improve its performance.
10. A progressive range of sanctions are available:
 - » temporary fleet size restrictions (fleet limitation);
 - » suspension or cancellation of vehicle permits and plates;
 - » temporary suspension of the operator's CVOR certificate; or,
 - » cancellation of the operator's CVOR certificate.
11. An operator under a fleet limitation will be given certificates for the number of vehicles it is allowed to operate, and must carry an original certificate in each vehicle.

ENFORCEMENT

- ♦ The CVOR program is enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Sections 15a, 15b, 15c, 15d, 15e, 15f, 15g, 30 & 179
- ♦ Ministry of Transportation Publication:
 - » *Commercial Vehicle Operator Registration*

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

Convictions under the following statutes may be recorded on an operator's CVOR file:

- ♦ Highway Traffic Act
- ♦ Dangerous Goods Transportation Act, 1981
- ♦ Transportation of Dangerous Goods Act (Canada)
- ♦ Truck Transportation Act, 1988
- ♦ Motor Vehicle Transport Act, 1987 (Canada)
- ♦ Public Vehicles Act
- ♦ Environmental Protection Act
- ♦ Fuel Tax Act, 1981
- ♦ Compulsory Automobile Insurance Act
- ♦ Employment Standards Act
- ♦ Canada Labour Code (Canada)
- ♦ Liquor Control Act
- ♦ Criminal Code (Canada)

THIS BROCHURE IS PREPARED FOR PURPOSES OF CONVENIENCE ONLY.

FOR ACCURATE REFERENCE, THE READER SHOULD REFER TO THE OFFICIAL VOLUMES.

HOURS OF WORK

APPLICATION

- ♦ All truck and bus operators and drivers, except when operating or driving:
 - » Light trucks (registered gross weight 4500 kg. [9920 lb.] or less);
 - » Two or three axle trucks carrying primary farm, sea, forest or lake products produced by the driver or the driver's employer;
 - » Tow trucks or mobile cranes;
 - » Trucks or buses with Dealer and Service plates and permits or In Transit permits;
 - » Trucks or buses leased by individuals for 30 days or less to move their personal goods, or to carry passengers at no fare;
 - » Motor homes or buses used for personal purposes without compensation;
 - » Trucks or buses in use in public emergencies;
 - » Ambulances, fire trucks, hearses, or casket wagons; or,
 - » Transit buses in local service.
- ♦ Note: A "bus" is defined as a motor vehicle designed for carrying 10 or more passengers and used for the transportation of persons.

REQUIREMENTS

- ♦ A driver's on duty time includes all time spent waiting for and actually driving, inspecting, servicing, repairing, loading, unloading or travelling in (except in a sleeper) a truck or bus, and time spent performing any other task for an operator.
- ♦ A driver may not drive a truck or bus after having:
 - » driven for 13 hours; or,
 - » been on duty for 15 hours,without first taking 8 consecutive hours off duty.

- ♦ A driver may not drive a truck or bus after having been on duty for:
 - » 60 hours in the current day and previous 6 days; and,
 - » 70 hours in the current day and previous 7 days; and,
 - » 120 hours in the current day and previous 13 days. (There is a requirement for a driver using this last option to take 24 consecutive hours off duty during the course of this cycle. The Ministry should be consulted for details.)
- ♦ Once every 7 days, the required 8-hour off duty period may be reduced to as little as 4 consecutive hours by adding the number of reduced hours to the next 8-hour off duty period.
- ♦ An 8-hour off duty period may be split into two periods, each of at least 2 hours, by taking it in a sleeper. When this is done, the total of the driving times immediately before and after each period in the sleeper cannot be more than 13 hours.
- ♦ If a trip can normally be completed within a driver's allowable on duty hours:
 - » a driver delayed by an emergency situation may continue to a safe stopping place or may complete the trip; or,
 - » a driver delayed by unexpected driving conditions may exceed allowable on duty time by 2 hours.

PROCEDURES

1. All truck and bus drivers and operators must arrange their work schedules to comply with the Hours of Work requirements.

2. A driver must make a daily written log that shows all off duty, sleeper berth, driving and on duty (not driving) time, using a continuous line drawn on a 24-hour grid. The log must be complete to the most recent duty status change, and must show the:
 - » driver's name and signature, and name of any co-driver;
 - » date and starting time for the 24-hour period covered by the log;
 - » name and head office address of each operator for whom the driver works in the day;
 - » plate or unit number of trucks or buses, and any trailer(s), driven by the driver;
 - » odometer reading on each vehicle when the driver first drives it in the day;
 - » driver's total distance driven and total time in each duty status; and,
 - » location where each duty status change occurred.
3. A driver does not need to keep a daily log on any day that he or she stays within 160 km. of the home terminal and returns there within 15 hours, provided that:
 - » the driver's operator keeps records of the driver's on duty time; and,
 - » the driver keeps a log on any day when a daily log is required that also shows the driver's total on duty time in the previous week.
4. The log may be kept by an on-board device that can record and display:
 - » the driver's duty status for the current and previous days;
 - » changes in the driver's duty status; and,
 - » time and vehicle movement and whether the device was disconnected,if the driver has written logs for previous days and a blank log form to use to make a written log for the current day.
5. Drivers must keep all supporting documents such as fuel and lodging receipts, bills of lading and shipping documents received during each trip, and must give them to the operator after the trip.
6. Drivers must give the operator the original of each log within 20 days.
7. The operator must forward logs and supporting documents to his head office within 30 days, and must keep them there for 6 months.

ENFORCEMENT

- ♦ A driver must not drive, and an operator must not allow a driver to drive, a truck or bus unless the driver has taken the required time off duty.
- ♦ Hours of work regulations are enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.
- ♦ Hours of Work convictions are recorded on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 165a
 - » Regulation 61/89 (Hours of Work)

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ CVOR.
- ♦ Facility Audit.
- ♦ Employment Standards Act.
- ♦ Commercial Vehicles Drivers Hours of Service Regulations (Canada).

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LOAD SECURITY

APPLICATION

- ♦ All truck and bus operators and drivers.
- ♦ Load security and covering requirements are very important to operators who operate dump, flat deck, or other truck or trailer equipment that does not completely enclose the load.

REQUIREMENTS

- ♦ Every load must be bound, covered or secured so that no part of it can shift, or fall or be blown from a truck or bus, or attached trailer.

Load Security

- ♦ Every truck and bus carrying a load must use either:
 - » Some type of securely attached sides and ends that are strong enough and high enough to contain the load and prevent it from shifting or falling from the vehicle; or,
 - » Properly spaced tiedown chains, cables or straps of adequate strength, used with enough load covering and blocking to prevent the load from shifting or falling; or,
 - » Any other equally-effective method of preventing the load from shifting or falling.
- ♦ Regulations suggest methods of securing metal coils and loose metal articles: other equivalent methods may be used.
- ♦ Containers may be secured directly to load-bearing surfaces of the vehicle if they have built-in attachment devices.
- ♦ Freight carried on buses must be secured and located so that passenger aisles are clear.

Load Covering

- ♦ Sand, gravel, crushed stone, slag, salt or any mixture of these, where each piece is no larger than 38 mm. [1½ in.] in diameter, waste, or shredded scrap metal must be covered with a tarp, canvas or net that keeps the load in the vehicle.
- ♦ Load covering requirements do not apply to:
 - » Waste collection, or waste carriage in vehicles up to 4536 kg. [10000 lb.] actual or registered gross weight;
 - » Loads carried on unpaved roads or across a paved road between unpaved roads;
 - » Loads carried in vehicles up to 8165 kg. [18000 lb.] actual or registered gross weight, when the load is not waste;
 - » Agricultural loads carried in a farmer's vehicle;
 - » Aggregates, if the top of the load is below the top of the container and the sides of the load are at least 300 mm. [12 in.] below the sides of the container (subject to month and size restrictions); or,
 - » Winter highway maintenance operations, or within the limits of a highway construction contract.

PROCEDURES

1. Operators and drivers of dump, flat deck or other equipment that does not fully enclose its load, should obtain the Regulations and *Guide To Security Of Loads* for detailed guidance.
2. Before driving a truck or bus, check that the load and all moveable vehicle parts such as doors and stakes are properly secured.
3. Secure or cover loads that are not fully enclosed by the vehicle, according to the requirements of the Regulations.
4. Routinely check securing devices and load covering during the trip.

ENFORCEMENT

- ♦ A driver must not drive, and an operator must not ask or permit a driver to drive, a vehicle with a load that is not properly secured and covered.
- ♦ Load Security and Load Covering Regulations are enforced on-highway and during roadside inspections by every Ontario police force and by Ministry of Transportation officers.
- ♦ A charge may be laid whether or not a load actually shifts or falls off a truck or bus.
- ♦ Load Security and Load Covering convictions will be recorded on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 94
 - » Regulation 455 (Covering of Loads)
 - » Regulation 428/81 (Security of Loads)
- ♦ Public Vehicles Act
 - » Regulation 888, Section 18
- ♦ Ministry of Transportation Publication:
 - » *Guide To Security Of Loads*
- ♦ Transportation Safety Association Publication:
 - » *Safety In Load Security*

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ CVOR.
- ♦ Vehicle Gross and Axle Weights.
- ♦ Vehicle Dimensions.
- ♦ Public Vehicle Luggage.

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VEHICLE MAINTENANCE

APPLICATION

- ♦ All truck, bus and trailer operators, except when operating:
 - » Light trucks (registered gross weight 4500 kg. [9920 lb.] or less);
 - » Tow trucks or mobile cranes;
 - » Trucks or buses with Dealer and Service permits and plates or In Transit permits;
 - » Trucks or buses leased by individuals for 30 days or less to move their personal goods, or to carry passengers at no fare;
 - » Motor homes or buses used for personal purposes without compensation; or,
 - » Ambulances, fire trucks, hearses, or casket wagons.
- ♦ Note: A "bus" is defined as a motor vehicle designed for carrying 10 or more passengers and used for the transportation of persons.

REQUIREMENTS

- ♦ Every truck or bus operator must ensure that each owned or leased vehicle, including all trailers, meets the required maintenance and performance standards. Standards are specified in Regulation 86/89 for the vehicle components listed on the insert to this brochure.
- ♦ Every truck or bus operator must have a system to inspect, maintain and repair each owned or leased vehicle at regular intervals.

- ♦ Every truck or bus operator must keep a record for each owned or leased vehicle that shows:
 - » The make, year, VIN and company number, if any;
 - » The lessor's name, if any;
 - » The nature and date of every repair or maintenance activity;
 - » The odometer reading at the time of every repair or maintenance activity;
 - » A description of the types and frequency of regular inspections and maintenance to be performed; and,
 - » A record of every axle or suspension modification that affects the gross vehicle or axle weight rating.

PROCEDURES

1. Each operator must establish a system of periodic vehicle inspection, repair and maintenance for every truck, bus and trailer it operates.
2. Each operator must inspect, repair and maintain each truck, bus and trailer it operates in accordance with this system and the required maintenance and performance standards.
3. The required information must be assembled and kept current for each vehicle.
4. Vehicle records must be kept for 2 years at the operator's principal place of business in Ontario.
5. If a vehicle is sold, destroyed or returned to the lessor, its records may be discarded after 6 months.

ENFORCEMENT

- ♦ A driver must not drive or tow, and an operator must not allow a driver to drive or tow, a truck, bus or trailer that is in an unsafe condition.
- ♦ Vehicle maintenance requirements are enforced by Ministry of Transportation officers during facility audits.
- ♦ Vehicle maintenance requirements violations are recorded on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

VEHICLE MAINTENANCE AND PERFORMANCE STANDARDS

Part II of Ontario Regulation 86/89 includes schedules that contain detailed maintenance and performance standards for the following vehicle components:

◆ General:

- » Body, Sheet Metal and Equipment
- » Occupant Compartment Door
- » Exterior Compartment Door
- » Chassis Frame, Underbody and Body Mounts
- » Drive Shaft Hanger Brackets and Guards
- » Mirror
- » Windshield and Windows
- » Fuel System
- » Exhaust System
- » Fifth Wheel Device
- » Trailer Hitch, Hitch Mounting and Connecting Devices for Safety Cables and Chains

◆ Brakes:

- » Hydraulic, Vacuum and Air System Components
- » Mechanical Components
- » Hydraulic System and Related Warning Devices
- » Power-Boosted Hydraulic Brakes
- » Air-Boosted Hydraulic Brakes or Full Air Brakes
- » Vacuum Gauge and Low Warning Device
- » Parking Brake
- » Emergency Brake System

- » Service Brakes
- » Brake Drums and Disc Pads

◆ Engine Controls And Steering:

- » Engine Controls
- » Power-Boosted Steering
- » Steering Column and Box
- » Wheel Alignment
- » Steering Linkage

◆ Suspension:

- » General
- » Air Suspension System

◆ Electrical Components:

- » Horn
- » Windshield Washers and Wiper Systems
- » Heating and Defrosting System
- » Neutral Safety Starting Switch
- » Speedometer
- » Lamps and Reflectors

◆ Tires and Wheels:

- » Tires
- » Wheels

◆ Number Plates

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 90a
 - » Regulation 86/89 (Commercial Motor Vehicle Inspections)

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ CVOR.
- ♦ CVSA Roadside Inspection.
- ♦ Trip Inspection.
- ♦ Facility Audit.

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CVSA ROADSIDE INSPECTIONS

The Commercial Vehicle Safety Alliance (CVSA) is an association of most provinces and states, including Ontario. The CVSA has developed uniform on-highway driver and vehicle standards. These standards are applied in Ontario.

APPLICATION

- ♦ All operators and drivers of trucks and buses, regardless of vehicle registered gross weight or weight rating.
- ♦ All buses and trucks, and all trailers, semi-trailers and converter dollies.

REQUIREMENTS

- ♦ Every truck and bus must be in safe operating condition at all times while on a highway.
- ♦ Every truck and bus driver must, at all times while driving:
 - » be properly qualified and licensed; and,
 - » have in the vehicle all required documents; and,
 - » not be under the influence of alcohol or drugs; and,
 - » comply with hours of work regulations, if applicable.
- ♦ Every truck and bus carrying dangerous goods must carry the required documents and placards in the proper locations.
- ♦ Every load must be properly secured at all times while being carried on a truck or bus on a highway.

PROCEDURES

1. Before driving a truck or bus, a driver should ensure that all documents are in order, that the vehicle is in safe mechanical condition, and that the load is secure.
2. Before allowing or asking a driver to drive a truck or bus, every operator should ensure that:
 - » the driver is properly qualified and licensed;
 - » the driver is fit and able to drive; and,
 - » the vehicle is in safe mechanical condition.
3. A vehicle may be stopped at any time by an officer for a CVSA roadside inspection.
4. The officer will inspect the vehicle to determine if the CVSA inspection items, listed on the insert to this brochure, are free of defects.
5. A truck, bus or trailer that passes a CVSA inspection will be given a dated decal. The decal will be put on the lower right corner of the power unit's windshield (passenger side), and on the lower right corner of the trailer, near the front.
6. Any CVSA decals already on the vehicle will be removed.
7. The officer will inspect the driver's documents.
8. A vehicle and/or driver that does not pass a CVSA inspection will be placed out of service, until CVSA standards are met.

ENFORCEMENT

- ♦ CVSA roadside inspections are performed by Ministry of Transportation officers.
- ♦ Vehicles that do not satisfy CVSA safety standards when inspected will be detained.
- ♦ Drivers that do not satisfy CVSA safety standards when inspected will be placed out of service.
- ♦ Vehicle detentions and drivers placed out of service will be recorded on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

CVSA INSPECTION ITEMS

♦ Brake System

- » Defective Brakes;
- » Steering Axle Brakes;
- » Parking Brakes;
- » Brake Drums Or Rotors (Discs);
- » Brake Hose;
- » Brake Tubing;
- » Low Pressure Warning Device;
- » Air Loss Rate;
- » Tractor-Protection;
- » Air Reservoir;
- » Air Compressor;
- » Electric Brakes;
- » Hydraulic Brakes; and,
- » Vacuum System.

♦ Coupling Devices

- » Fifth Wheels;
- » Pintle Hooks;
- » Drawbar Eye;
- » Drawbar Tongue;
- » Safety Devices; and,
- » Saddlemounts.

♦ Exhaust System

♦ Fuel System

♦ Lighting Devices

- » When Lights Are Required; and,
- » At Anytime.

♦ Load Security



Steering Mechanism

- » Steering Wheel Free Play;
- » Steering Column;
- » Front Axle Beam And All Steering Components Other Than Column;
- » Steering Gear Box;
- » Pitman Arm;
- » Power Steering;
- » Ball and Socket Joints;
- » Tie Rods and Drag Links;
- » Nuts; and,
- » Steering System.



Suspension

- » Axle Parts / Members;
- » Spring Assembly; and,
- » Torque, Radius Or Tracking Components.



Frame

- » Frame Members;
- » Tire and Wheel Clearance; and,
- » Adjustable Axle.



Tires

- » Any Tire On Any Steering Axle Of A Power Unit; and,
- » All Tires Other Than Those On The Steering Axle Of A Powered Vehicle.



Wheels and Rims



Windshield Glazing



Windshield Wipers

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Sections 15a, 18, 67 & 90a
- ♦ CVSA Publication:
 - » *North American Uniform Out-Of-Service Criteria*

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ Classified Driver's Licence.
- ♦ Hours of Work.
- ♦ Vehicle Maintenance.
- ♦ Trip Inspection.
- ♦ CVOR.
- ♦ Dangerous Goods Transportation Act, 1981.
- ♦ Transportation of Dangerous Goods Act (Canada).

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TRIP INSPECTION

APPLICATION

- ♦ All truck and bus drivers, except when driving:
 - » Light trucks (registered gross weight 4500 kg. [9920 lb.] or less);
 - » Two or three axle trucks, not towing a trailer, carrying primary farm, sea, forest or lake products produced by the driver or the driver's employer;
 - » Tow trucks or mobile cranes;
 - » Trucks or buses with Dealer and Service permits and plates or In Transit permits;
 - » Trucks or buses leased by individuals for 30 days or less to move their personal goods, or to carry passengers at no fare;
 - » Motor homes or buses used for personal purposes without compensation;
 - » Trucks or buses in use in public emergencies;
 - » Ambulances, fire trucks, hearses, or casket wagons; or,
 - » Transit buses in local service.
- ♦ Note: A "bus" is defined as a motor vehicle designed for carrying 10 or more passengers and used for the transportation of persons.

REQUIREMENTS

- ♦ Every truck and bus, and any attached trailer(s), must be inspected before its first trip each day. The first driver of a truck or bus each day must ensure the inspection is made.
- ♦ A truck or bus on a trip that lasts more than one day must be inspected during the first rest stop of the second and each following day.
- ♦ A truck or bus driven by more than one driver in one day need only be inspected by or for the first driver of the day.
- ♦ Every one of the items listed in the insert to this brochure must be inspected for safety defects.
- ♦ A vehicle must not be driven while in an unsafe condition.

PROCEDURES

1. Each operator must instruct its drivers to perform the required inspections, and must not allow its drivers to drive a truck or bus or tow a trailer that has not had the required inspection.
2. The inspection must be made before the vehicle's first trip of the day. If trailers are added during the day, they must each be inspected before they are towed.
3. A written report must be made of the inspection, unless:
 - » the driver is instructed to drive the truck or bus within 160 km. of the place where the driver reports to work and to return there at the end of the day; and,
 - » the operator keeps a record of any safety defects found in the inspection, and of their repair, for 3 months.
4. The report must list each of the items that is to be inspected (see insert), and must also include the:
 - » truck or bus make and plate or unit number;
 - » plate or unit number of any attached trailers;
 - » date of inspection; and,
 - » name and signature of the person who did the inspection.
5. Every safety defect found during the inspection must be noted on the report. If no safety defects are found, this must be noted on the report.
6. Every safety defect found by the driver during the day must be noted on the report.
7. Any defect found at any time which makes a truck, bus or trailer unsafe must be repaired before the truck or bus may be driven or the trailer may be towed.
8. A person who repairs a defect, or who decides a truck, bus or trailer is safe without repair, must record the date of the repair on the report, or the fact that no repair is required, and must sign the report.
9. The report must be carried in the truck or bus during the day, and the driver must give the report to the operator at the end of the day if there are no defects, or, if there are defects, after all necessary repairs have been recorded on the report.
10. The operator must keep all trip inspection reports at its head office for 3 months.

TRIP INSPECTION ITEMS

◆ Outside Inspection

- » Lights and Reflectors;
- » Wheels and Fasteners;
- » Tires;
- » Fuel System;
- » Exhaust System;
- » Fifth Wheel;
- » Suspension, Spring, Air Bags and Controlling Attachments;
- » Towing and Coupling Devices;
- » Load Security;
- » Load Covering;
- » Air Brake Adjustment and Connections;
- » Hydraulic Brake Fluid; and,
- » Mirrors.

◆ Inside Inspection

- » Steering Wheel;
- » Brake Pedal;
- » Brake Booster;
- » Brake Failure Warning Light;
- » Brake Air Pressure or Vacuum Gauge;
- » Brake Warning Signal;
- » Windshield Washer and Wipers;
- » Windshield and Windows;
- » Mirrors;
- » Defroster and Heaters;
- » Horn;
- » Seat and Seat Belt;
- » Parking Brake; and,
- » Emergency Equipment.

ENFORCEMENT

- ♦ A driver must not drive a truck or bus or tow a trailer that has not been inspected that day.
- ♦ A driver must not drive, and a operator must not allow a driver to drive, an unsafe truck or bus or tow an unsafe trailer.
- ♦ Trip inspection regulations are enforced by every Ontario police force and by Ministry of Transportation officers, during both roadside inspections and facility audits.
- ♦ Trip inspection convictions will be recorded on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Section 67 (penalty for driving unsafe vehicle)
 - » Section 90a
 - » Regulation 86/89 (Commercial Motor Vehicle Inspections)

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ CVOR.
- ♦ Vehicle Maintenance.
- ♦ CVSA Roadside Inspection.
- ♦ Facility Audit.

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FACILITY AUDITS

APPLICATION

- ♦ Every commercial motor vehicle operator in Ontario.
- ♦ The purpose of facility audits is to increase operator knowledge of and monitor operator compliance with one or more of:
 - » highway safety laws:
 - hours of work,
 - vehicle maintenance,
 - CVSA inspections, and
 - trip inspections;
 - » pro-rated vehicle registration (CAVR) procedures; and,
 - » operating licence (MVTA/TTA/PVA authorities) terms, where applicable.
- ♦ Only the first of these three audit subjects is part of the National Safety Code.
- ♦ CAVR audits are not applicable to intra-provincial operators.
- ♦ Operating authority audits are not applicable to operators who are private carriers.

REQUIREMENTS

- ♦ An operator should keep, and provide for audit, records that are applicable to its operation, employees and vehicles. These include, depending on the nature of the operation, the documents listed on the insert to this brochure.
- ♦ An operator will be assessed on its awareness of and compliance with, safety, pro-rating and operating authority rules.
- ♦ The operator will be advised of the audit results at the end of the audit.
- ♦ An operator may not refuse to be audited.

PROCEDURES

1. A Ministry of Transportation inspector may contact the operator to arrange a convenient date for the audit. The operator will be told which of its records will be required for the audit.
2. The inspector may begin the audit by asking for general information about the operator.

National Safety Code Audit

3. The safety audit consists of four operator profiles:
 - » Driver Profile;
 - » Staff Training and Development Profile;
 - » Hours of Work Profile; and,
 - » Vehicle Maintenance Profile.

Each profile is a summary of the operators' performance in a particular area.

4. The inspector will randomly select driver files, daily logs and vehicle records based on the numbers of drivers and vehicles used by the operator.
5. For the Driver Profile, the inspector will examine the selected driver files to answer 8 Driver Profile questions (see insert for all profile questions).

A satisfactory profile will be given when it is evident that a complete file is kept for each driver employed by the operator.

6. For the Staff Training and Development Profile, the inspector will examine the staff development and training documents to answer the 4 questions on this profile.

A satisfactory profile will be given when a training program is evident and all applicable instructor certificates are on file.

7. For the Hours of Work Profile, the inspector will examine the selected daily logs and supporting documents to answer the 8 questions on this profile.

A satisfactory profile will be given when the operator keeps the daily logs and supporting documents and no violations are found.

8. For the Vehicle Maintenance Profile, the inspector will examine the selected records to answer the 9 questions on this profile.

A satisfactory profile will be given when the operator keeps the required records and no violations are found.

OPERATOR DOCUMENTS TO HAVE AVAILABLE FOR AUDIT

(Not all documents listed here are applicable to every operator)

◆ Driver Information Records:

- » driver licence class and expiry information;
- » driving abstract obtained in past year;
- » convictions reported by driver since last abstract;
- » medical due date;
- » application for employment;
- » dangerous goods training certificate;
- » air brake endorsement;
- » driver improvement courses; and,
- » recall system based on expiry dates.

◆ Staff Training and Development Records:

- » dangerous goods instructor qualifications;
- » Recognized Authority certificate;
- » Signing Authority identification;
- » defensive driving instructor certificate;
- » first aid instructor certificate;
- » evidence of any other safety courses taken; and,
- » recall system based on flag re-training and re-testing dates.

◆ Drivers' Hours of Work Records:

- » daily logs;
- » bills of lading;
- » shipping documents;
- » fuel receipts;
- » accommodation receipts;
- » other receipts received while driving;
- » driver dispatch sheets;
- » payroll records; and,
- » charter trip reports.

◆ Vehicle Maintenance Records:

- » vehicle identification records;
- » vehicle lessor information;
- » repair and maintenance history;
- » policy statement on types and frequencies of inspections and maintenance;
- » axle or suspension modifications that affect gross or axle weight ratings;
- » trip inspection reports; and,
- » recall system based on periodic maintenance dates.

◆ CAVR Records:

- » SA-1's for past 3 reporting years (July - June);
- » daily trip sheets;
- » drivers' daily logs;
- » bills of lading;
- » fuel receipts;
- » payroll records,
- » Individual Vehicle Distance Reports; and,
- » Fuel Reports.

◆ Operating Authority Records:

- » driver dispatch sheets;
- » driver trip sheets;
- » bills of lading;
- » pro-bills;
- » charter trip reports;
- » passenger lists;
- » advertising/rate quotations;
- » invoices;
- » lease agreements/invoices;
- » customer accounts;
- » equipment availability ledger;
- » payroll records;
- » accounts receivable records;
- » sales records; and,
- » record of bus availability.

QUESTIONS USED TO DEVELOP OPERATOR PROFILES

◆ Driver Profile:

1. Are oral interviews conducted with drivers to verify information submitted on employment applications?
2. Does the operator take any action against a driver who has a poor driving record or has been involved in a preventable accident?
3. Does the operator have a driver safety incentive program?
4. Can the operator produce completed driver qualification files for drivers selected at random?
5. Does the operator have established procedures concerning the use of alcohol and drugs?
6. Are the drivers instructed on load security procedures?
7. Does the operator have a policy for ensuring drivers are kept up to date regarding the handling of dangerous goods?
8. Does the operator have a recall system established that will ensure drivers' licences, drivers' medical reports, drivers' record of violations (abstract), and drivers' dangerous goods training certificate (valid for 3 years from date of issue) remain current?

◆ Staff Training and Development Profile:

1. Does the operator have a driver training program? (in-house / outside agencies)
2. Does the operator keep a record of the training program?
3. Does the operator review its training program on a periodic basis?
4. Does the operator have a procedure to identify personnel requiring further training? (ie., dangerous goods, defensive driving, security of loads, etc.)

◆ Hours of Work Profile:

1. Does the operator have knowledge of the "Hours of Work" legislation? (ie., 13 driving hours, 15 on duty hours, 60 on duty hours in 7 days, 70 on duty hours in 8 days, and 120 on duty hours in 14 days, sleeper berth rest periods, etc.)

2. Does the operator have a procedure for monitoring compliance with the "Hours of Work" legislation? (ie., current accumulative hours of work of each driver)
3. Does the operator have a disciplinary policy for non-compliance with "Hours of Work"?
4. Can the operator produce daily logs and supporting documents for drivers selected at random?
5. Do supporting documents substantiate the information in the daily logs?
6. Does the operator file records of daily logs in a systematic manner?
7. When reaching a home terminal, are previous daily logs actually submitted?
8. Does the operator have a system for recording hours of work for drivers driving within a radius of 160 kilometres of the home terminal?

Vehicle Maintenance Profile:

1. Is the vehicle maintenance program complying with and are the vehicles inspected, maintained and repaired in accordance with the legislation?
2. Are drivers trained to perform trip inspections in accordance with the legislation?
3. Can the operator produce a sampling of vehicle maintenance records and supporting documents for vehicles selected at random?
4. Can the operator produce a sampling of trip inspection reports for vehicles selected at random?
5. Does the operator file vehicle maintenance records in a systematic manner?
6. Can the operator explain his/her procedures for a systematic, periodic maintenance program?
7. Does the operator periodically review maintenance records for leased or driver-owner equipment?
8. Does the operator have a maintenance facility on site for major and minor repairs?
9. Does the operator have knowledge of the "Commercial Motor Vehicle Inspection" legislation? (ie., trip inspection requirements, retention of records, etc.)

9. The inspector may also randomly select one or more vehicles from those ready for dispatch to perform a mechanical inspection.

CAVR Audit

10. The inspector will perform a CAVR audit on randomly-selected vehicles by comparing their actual distance travelled in each jurisdiction with the distances reported by the operator.

A satisfactory audit will be given if the operator keeps appropriate records and if the distances reported are correct. If this audit is not satisfactory, then the operator's pro-rating privilege may be cancelled.

Economic Regulatory Control Audit

11. The inspector will perform an economic regulatory control audit to determine whether the operator complies with its licence authority. The inspector will examine the operator's activities during a sample period of time for violations.

Audit Conclusion

12. At the conclusion of all of the audits, the inspector will:
 - » discuss the results with the operator to ensure the operator is aware of all of the legislated requirements that must be met, and to explain any requirements the operator may be unfamiliar with;
 - » give the operator a copy of the "Audit Findings" for the safety audit and the "Audit Report" for the CAVR audit;
 - » inform the operator of any problems or discrepancies discovered, any documents copied and any charges that may be laid; and,
 - » advise the operator whether a follow-up audit will be required within 60 days.

ENFORCEMENT

- ♦ Facility audits are performed at operators' offices by Ministry of Transportation officers.
- ♦ Violations and vehicle detentions arising out of the audit will be recorded on the operator's Commercial Vehicle Operator's Registration (CVOR) file.

INFORMATION SOURCES

- ♦ Highway Traffic Act:
 - » Sections 7, 9, 15a, 16, 18, 30, 68, 90a, 94, 165a & 194b
 - » Regulations 455, 462, 483, 428/81, 744/82, 61/89 & 86/89
- ♦ Dangerous Goods Transportation Act, 1981
- ♦ Commercial Vehicle Safety Alliance Publication:
 - » *North American Out-Of-Service Criteria*
- ♦ Canadian Agreement on Vehicle Registration
- ♦ Truck Transportation Act, 1988
- ♦ Motor Vehicle Transport Act, 1987 (Canada)
- ♦ Public Vehicles Act

MINISTRY CONTACT

Further information may be obtained from any Ministry of Transportation District Office, as listed on the District Office Directory.

RELATED TOPICS

- ♦ Single Driver's Licence Concept.
- ♦ Classified Driver's Licence.
- ♦ Driver Certification.
- ♦ CVOR.
- ♦ Hours of Work.
- ♦ Vehicle Maintenance.
- ♦ CVSA Roadside Inspection.
- ♦ Trip Inspection.
- ♦ CAVR.
- ♦ Truck Transportation Act, 1988.
- ♦ Public Vehicles Act.
- ♦ Motor Vehicle Transport Act, 1987 (Canada)

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FOR ACCURATE REFERENCE, THE READER SHOULD REFER TO THE OFFICIAL VOLUMES.

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